

UNITED STATES DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE

RECORD OF DECISION

GENERAL MANAGEMENT PLAN AND WILDERNESS STUDY

FINAL ENVIRONMENTAL IMPACT STATEMENT

Pictured Rocks National Lakeshore

Michigan

INTRODUCTION

The Department of the Interior, National Park Service (NPS), has prepared this Record of Decision (ROD) on the Final General Management Plan / Wilderness Study / Environmental Impact Statement (GMP/WS/EIS) for Pictured Rocks National Lakeshore, Michigan. This ROD includes a statement of the decision made, synopses of other alternatives considered, the basis for the decision, a description of the environmentally preferable alternative, and an overview of public involvement in the decision-making process.

DECISION (SELECTED ACTION)

The National Park Service has selected the preferred alternative as described in the final GMP/WS/EIS issued in October. Under the selected action, the NPS will provide additional and more convenient access to key national lakeshore features, thus expanding opportunities for visitor use in the national lakeshore. Natural ecological processes will be allowed to occur, and restoration programs will be initiated where necessary. Federal lands in the Beaver Basin area in the national lakeshore (about 16 percent of the lakeshore) will be proposed for designation as wilderness. Electric motors only will be allowed on Little Beaver and Big Beaver Lakes. Vehicular access to Little Beaver Lake campground will remain, however one structure within the proposed wilderness will be removed. The road to the Beaver Basin Overlook will remain open. Other roads in Beaver Basin will be closed and converted to trails or allowed to revert to natural vegetation. Motor boats (except for personal watercraft which will have special

regulations) will be allowed on Lake Superior within the ¼-mile jurisdictional boundary adjacent to the proposed wilderness. To accommodate possible increased use and to increase ease of access in the portion of the national lakeshore not proposed for wilderness, certain roads will be upgraded (upgrading portions of County Road H-58 will be recommended), and a drive-in campground in the Miners area and a boat-in campsite on Grand Sable Lake will be added. Operational facilities will be consolidated at both ends of the national lakeshore for efficiency.

OTHER ALTERNATIVES CONSIDERED

Four other alternatives for managing Pictured Rocks National Lakeshore (PIRO) and proposing wilderness were evaluated in the draft and final environmental impact statements. (Alternative B was eliminated from consideration and alternative D was incorporated into the preferred alternative and thus also eliminated from consideration.)

The **no-action alternative** describes a continuation of existing management at PIRO and provides a baseline for evaluating the changes and impacts of the other alternatives. The NPS would continue to manage PIRO as it has in the past. Existing operations and visitor facilities would remain in place, concentrated at the west and east ends of the lakeshore, while the central portion would remain in a primitive, relatively undisturbed state. No new construction would be authorized. Natural ecological processes would continue to be allowed to occur, and restoration programs would continue or would be initiated where necessary. County Road H-58 would probably remain a mix of paved and unpaved road. No wilderness would be proposed for designation.

Alternative A is very similar to existing management of the lakeshore with a few exceptions. Administration and maintenance functions would be consolidated in new facilities near Munising and Grand Marais. A new campground would be provided in the Miners area, and paving County Road H-58 from Munising to Grand Marais would be recommended. Facilities would continue to be concentrated at the ends, while the central portion of the national lakeshore would be preserved in a relatively primitive, undisturbed state. Natural ecological processes would be allowed to occur, and restoration programs would be initiated where necessary. National lakeshore managers would place few additional limits on visitor use. No wilderness would be proposed for designation.

Under **alternative C** the national lakeshore would provide more vehicular access and/or improved pedestrian access to additional lakeshore areas, features, and significant cultural resources. Many roads would be paved or improved (paving County Road H-58 would be recommended) to increase ease of access for visitors. Facilities and infrastructure would be improved at some drive-in campgrounds. Selected cultural landscapes would be restored and interpreted. An overlook in the Sevenmile Creek area would be added contingent on the State donating an easement across about 240 acres of their land and the acquisition of an easement on about 10 acres from ForestLand Group, Limited Liability Corporation. Operational and administrative facilities would be consolidated near Munising and Grand Marais for efficiency. Natural ecological processes would be allowed to occur, and restoration programs would be initiated where necessary. No wilderness would be proposed for designation.

In **alternative E** the national lakeshore would continue to provide a diversity of use and visitor experience opportunities separated geographically. Natural ecological processes would be allowed to occur, and restoration programs would be initiated where necessary. Remote and primitive experiences would be found in the central portion of the national lakeshore (proposed wilderness), while the eastern and western portions would be more accessible. Some cultural and natural features at the east and west portions of the lakeshore would be easier to get to and have more facilities and amenities than now. To accommodate possible increased use in the nonwilderness portion of the national lakeshore, certain roads would be upgraded (upgrading portions of County Road H-58 would be recommended), and a new campground would be added in the Miners area. Operational facilities would be consolidated near Munising and Grand Marais for efficiency. Much of the middle third of the national lakeshore (about 25 percent of the lakeshore) would be proposed for designated wilderness. Beaver Basin, Chapel Basin, and adjacent areas would be included in the wilderness proposal, maximizing opportunities for nonmotorized recreation such as hiking and backcountry camping in a relatively remote, quiet, natural area. Within the proposed wilderness portion of the lakeshore, structures would be removed and roads would be converted to trails or closed and allowed to revert to natural vegetation.

BASIS FOR DECISION

In reaching its decision to select the preferred alternative, the NPS considered the purposes for which PIRO was established, and other laws and policies that apply to the management of the lakeshore and designation of wilderness, including the Wilderness Act, Eastern Wilderness Areas Act, National Environmental Policy Act, and the 2001 NPS Management Policies. The NPS, also, carefully considered public comments received during the general management plan and wilderness study processes.

Three primary criteria were used in making the decision to select the preferred alternative:

- Best supported the national lakeshore's purpose to:
 - Preserve a portion of the Great Lakes shoreline for its geographic, scientific, scenic, and historical features, and its associated ecological processes.
 - Provide opportunities for public benefit in recreation, education, enjoyment, and inspiration.
 - Protect the character and use of the shoreline zone while allowing economic utilization of the inland buffer zone's renewable resources.
- Consistency with the spirit and intent of the Wilderness Act, Eastern Wilderness Areas Act, other relevant legislation, and NPS policy.
- Consistency with public comments received on the alternatives.

The NPS believes the preferred alternative best supports PIRO's purposes. This alternative protects the lakeshore's natural and cultural resources while also expanding recreational opportunities and access on the east and west ends of the lakeshore. The diversity of visitor experiences in the lakeshore will be maintained in a way that will not degrade resources. The alternative provides some additional watershed protection measures. It also ensures long-term protection of the wildland values in the heart of the lakeshore by proposing this area for wilderness designation, while still providing for a diversity of uses in the national lakeshore. There is widespread support for wilderness designation at the State and national levels. Finally, the preferred alternative will improve the operational effectiveness of the national lakeshore.

The no-action alternative would not satisfy the lakeshore's purposes as well. Of all the alternatives, it would provide the least amount of long-term historical feature protection and a moderate amount of protection for natural and scenic resources. Although existing recreation opportunities and uses would continue, it would not improve the quality of visitor experiences or expand the diversity of visitor opportunities. The alternative also would not ensure that any of the lakeshore's wildland values would be protected over time. Very few people who commented on the draft document supported this alternative.

Alternative A would provide a few improvements and additional opportunities for visitors, but not as many improvements in facilities or access as the preferred alternative. Although it would protect historical and other resources, the alternative would not ensure the protection of the lakeshore's wildland values in perpetuity.

Although alternative C would expand the recreational opportunities and access throughout the lakeshore, with increased facilities, and access there would be a greater potential for resource impacts, i.e., habitat fragmentation, under this alternative compared to the preferred alternative. By proposing none of the lakeshore for wilderness, the alternative would not ensure the protection of the lakeshore's wildland values in perpetuity.

With the largest wilderness proposal in the alternatives considered, alternative E would best preserve wildland values. Alternative E would also provide the best protection of cultural resources of all the alternatives. However, alternative E would not satisfy the national lakeshore's purposes as well as the preferred alternative because it would result in the loss of visitor opportunities and access for visitors – more visitors would be displaced or otherwise adversely affected by this alternative than the preferred alternative.

ENVIRONMENTALLY PREFERRED ALTERNATIVE

Regulations of the President's Council on Environmental Quality, as well as NPS Director's Order 12 and its handbook (Conservation Planning, Environmental Impact Analysis, and Decision Making; January 2001) require the NPS to identify the environmentally preferred alternative in its ROD. The environmentally preferred alternative is defined as the alternative that will promote the national environmental policy as expressed in section 101 of the National Environmental Policy Act. Section 101 states that:

...it is the continuing responsibility of the Federal Government to...

- (1) Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;
- (2) Assure for all Americans safe, healthful, productive, and aesthetically and culturally pleasing surroundings;
- (3) Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;
- (4) Preserve important historic, cultural, and natural aspects of our national heritage, and maintain, wherever possible, an environment which supports diversity and variety of individual choice;
- (5) Achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and
- (6) Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

All of the alternatives in this environmental impact statement rated well and did not vary much in meeting the criteria, which is not surprising because elements that were not environmentally sound were eliminated from consideration. However, the preferred alternative best met the criteria of section 101(b). The preferred alternative rated high in all of the criteria except for one (#5, achieving a balance between population and resource use that will permit high standards of living and a wide sharing of life's amenities). Alternative C scored better than the preferred alternative for that criterion but did not quite satisfy as well two other criteria (#1, fulfilling the responsibilities of each generation as trustee of the environment for succeeding generations and #6, enhancing the quality of renewable resources and approaching the maximum attainable recycling of depletable resources). The no-action alternative did not meet criteria 1, 2, 3, 5, and 6 as well as the preferred alternative. Alternative A did not meet criteria 1, 3, 4 and 6 as well as the preferred alternative, and alternative E did not meet criteria 3 and 4 as well as the preferred alternative. Therefore, the preferred alternative was also chosen as the environmentally preferred alternative.

FINDINGS ON IMPAIRMENT OF PARK RESOURCES AND VALUES

The NPS may not allow the impairment of park resources and values unless directly and specifically provided for by legislation or proclamation establishing the park. Impairment is defined as an impact that, in the professional judgment of the responsible NPS manager, would harm the integrity of park resources or values, including the opportunities that otherwise would be present for the enjoyment of those resources or values. In determining whether an impairment would occur, park managers examine the duration, severity and magnitude of the impact; the resources and values affected; and direct, indirect, and cumulative effects of the action. According to NPS policy,

An impact would be more likely to constitute an impairment to the extent that it affects a resource or value whose conservation is:

- Necessary to fulfill specific purposes identified in the establishing legislation or proclamation of the park.
- Key to the natural or cultural integrity of the park or to opportunities for enjoyment of the park, or
- Identified as a goal in the park's general management plan or other relevant NPS planning documents (NPS Management Policies 2001, section 1.4.5)

This policy does not prohibit all impacts to park resources and values. The NPS has the discretion to allow impacts to park resources and values when necessary and appropriate to fulfill the purposes of a park, so long as the impacts do not constitute an impairment. Moreover, "...an impact would be less likely to constitute an impairment to the extent that it is an unavoidable result, which cannot reasonably be further mitigated, of an action necessary to preserve or restore the integrity of park resources or values" (NPS Management Policies 2001, section 1.4.5).

After analyzing the environmental impacts described in the FGMP/WS/EIS and public comments received, the NPS has determined that implementation of the preferred alternative will not constitute an impairment to PIRO's resources and values. Indeed, many of the resource impacts of the general management plan and wilderness designation were determined to be beneficial impacts. All adverse impacts due to the GMP and wilderness designation were found to be moderate or lower in intensity and are not anticipated to be of sufficient magnitude to warrant a finding of impairment of park resources and values.

MEASURES TO MINIMIZE ENVIRONMENTAL HARM

The NPS has investigated all practical measures to avoid or minimize environmental impacts that could result from the preferred alternative. Measures to avoid or minimize environmental harm have been identified and incorporated into the preferred alternative and are described in the final GMP/WS/EIS. These measures are described in the alternatives chapter, in table 1 and appendix B (Servicewide Mandates and Policies), and in the analysis of environmental impacts. Measures to minimize environmental harm include, but are not limited to: initiating a "Maintaining Ecological Integrity" program; developing revegetation plans for disturbed areas and requiring the use of native species; working with Pictured Rocks Cruises to find ways to minimize noise from tour boats, conducting periodic visitor surveys, implementing a noxious weed abatement program, conducting pre-project surveys for species of concern and their habitats and archaeological resources; monitoring construction activities; and consulting with agencies and organizations such as the U.S. Fish and Wildlife Service (FWS), U.S. Forest Service, American Indian tribes, Michigan Department of Natural Resources, and the Michigan State Historical Preservation Office when appropriate.

PUBLIC INVOLVEMENT

The NPS provided numerous opportunities for the public to participate in the general management plan/wilderness study process. The notice of intent to prepare the GMP/WS/EIS appeared in the August 5, 1999 *Federal Register*. A subsequent notice of intent to prepare a wilderness study in conjunction with the general management plan appeared in the December 13, 1999 *Federal Register*. The scoping comment period ran from June 1999 to February 2000. The planning team primarily used newsletters, press releases, the Internet, and meetings to solicit public comments and suggestions for the plan. During the course of the planning process three newsletters were sent to the agencies, organizations, and individuals on the park's mailing list, which eventually consisted of about 3,200 names. Documents were available for download from the lakeshore's web site, and an e-mail link was created for electronic comments.

Many meetings were held with members of the public and organizations during the course of the study process. The planning team held public meetings during the scoping period, from August 27 through September 1, 1999, in Marquette, Grand Marais, Grand Rapids, and Novi in Michigan, and Green Bay, Wisconsin. After preliminary alternatives were developed public meetings were held in June 2000 in Lansing, Munising, and Grand Marais to seek public views, concerns, and issues regarding the preliminary alternatives.

The draft GMP/WS/EIS was distributed to the public on July 3, 2003. Approximately 3,200 copies of the draft document (including CDs) were mailed to government agencies, public interest groups, businesses, media, local libraries, and individuals. The draft document was also placed on the Internet. Written comments on the draft document were accepted through October 21, 2003. Almost 800 separate written responses were received from the public, agencies, and organizations during the comment period.

After the draft GMP/WS/EIS was published the study team held five public meetings on the plan/wilderness study, from August 25 through August 28, 2003. Meetings were held in Marquette, Munising, Grand Marais, Lansing, and Novi, Michigan. A total of 129 people attended these meetings. In accordance with Wilderness Act requirements, two of the above meetings (in Munising and Grand Marais) also included formal public hearings. Participants at the hearing had the opportunity to speak for four minutes, and their comments were recorded and transcribed by a professional court reporter. Twenty-one people spoke at the Munising hearing and four people spoke at the Grand Marais hearing.

The notice of availability for the final EIS was published in the October 22 *Federal Register*. The Environmental Protection Agency (EPA) provided comments on the final environmental impact statement on November 12. The 30-day "no action" period ended on November 21.

AGENCY CONSULTATIONS

The planning team made numerous efforts to seek input from affiliated American Indian tribes. NPS staff met with Mr. Eugene Big Boy, Tribal Chairman of the Bad River Band (Wisconsin) of the Lake Superior Ojibwa Tribe. Mr. Big Boy did not have any immediate concerns and expressed interest in keeping informed of planning for the GMP and other activities within the

PIRO. Other affiliated tribes were sent copies of the draft plan and letters and/or contacted through phone calls. However, the tribes did not provide comments or indicated they had no comments on the draft plan.

Phone calls were placed to the Great Lakes Fish and Wildlife Indian Commission (GLIFWC) on March 9 and March 19. On March 23, GLFWIC Biological Services Director Neil Kmiecek indicated that tribes represented by the commission had no comments on the draft management plan.

The State Historic Preservation Officer was contacted on June 11 regarding the draft GMP/WS/EIS. They reviewed and approved the plan.

In accordance with section 7 of the Endangered Species Act, the NPS consulted with the FWS and Michigan Department of Natural Resources regarding species known or potentially occurring in the national lakeshore. Section 7 consultation was initiated in September 1999. The FWS responded with a species list in October 1999. The NPS again consulted the FWS in May 2001, requesting an update of the list, including proposed or candidate species and designated critical habitat or essential habitat that might occur at or near the lakeshore. The FWS responded to that request in June 2001.

In response to the draft GMP/WS/EIS, the FWS submitted comments on October 31, 2003, stating that additional section 7 consultation was needed before the FWS could concur with the determination in the draft document. The NPS subsequently prepared a biological assessment for the preferred alternative in the GMP. The biological assessment was submitted to the FWS on March 16. On April 22, the FWS issued a letter of concurrence with the findings in the biological assessment. (Both the biological assessment and the FWS's letter of concurrence were included in the final GMP/WS/EIS.

In response to the final GMP/WS/EIS, the EPA, Region 5, submitted comments based on the changes made to the preferred alternative. They expressed a lack of objection to the preferred alternative as presented in the draft GMP/WS/EIS, but they requested more information be included in the ROD that pertained to changes made to that alternative in the final. These changes were a modification of the management prescription from primitive to casual recreation for the 42 mile-long shoreline, and the allowance of electric motors only on Little Beaver and Beaver Lakes. The EPA requested information on pollutants associated with electric motors, a comparison of noise impacts for electric and gasoline motors, a comparison of noise impacts for those motors with more common noises, and a presentation of sound levels measured in decibels.

Examination of the electric motor industry, EPA, and the State of Michigan information sources indicates that in addition to ease and economical operation of electric boat motors, they are generally considered non-polluting. Since no fuel is burned in an electric motor, they do not produce the pollution that internal combustion engines do. They do not emit hydrocarbons into the air, or oil and other pollutants into the water. In fact, vehicles using electric motors are frequently called zero-emissions vehicles. In addition, electric motors are quiet. Normal conversation is not interrupted when using electric motors. They do not shake, vibrate, or make

disturbing noise; they work at low speeds and produce little wake. Their operation is virtually silent. As far as can be found, there is no information that gives the decibel ratings for electric boat motors as a class, though there is much anecdotal information that suggests they are much quieter than gasoline-powered motors.

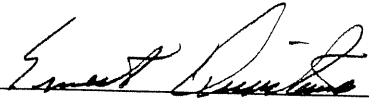
COMPLIANCE WITH COASTAL ZONE CONSISTENCY

Federal agencies that affect Michigan's coastal zone must comply with section 307 of the Coastal Zone Management Act and implementing regulations, which require that such Federal activities be conducted in a manner consistent to the maximum extent practicable with Michigan's Coastal Management Program. The Michigan Department of Environmental Quality has reviewed the final general management plan /wilderness study and concurred with the NPS that the preferred alternative (including the proposed wilderness designation) is consistent with the state's Coastal Management Program. The State's concurrence letter is attached to this record of decision.

CONCLUSION

The NPS has selected the preferred alternative as its GMP for PIRO. Among the alternatives considered, this alternative best protects PIRO's cultural and natural resources while also providing a range of quality recreational and educational experiences, meets NPS goals for managing the lakeshore, and meets national environmental policy goals. The preferred alternative will not result in the impairment of resources and values. The official responsible for this decision is the Regional Director, Midwest Region.

The preferred alternative proposes that 16 percent of PIRO be designated as wilderness. With the concurrence of the NPS Director, the NPS wilderness proposal will be sent to the Assistant Secretary of Fish, Wildlife and Parks and the Secretary of the Interior, who may revise or approve the proposal. The Secretary may then forward a wilderness recommendation to the President, who in turn may approve or revise the recommendation and then transmit the recommendation to Congress for consideration.

Approved:  Date: 11-23-04
Ernest Quintana
Regional Director

Attachment A: State of Michigan's Coastal Zone Consistency Determination.



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



STEVEN E. CHESTER
DIRECTOR

December 2, 2004

Ms. Karen Gustin
Pictured Rocks National Lakeshore
P.O. Box 40, N8391 Sand Point Road
Munising, Michigan 49862

Dear Ms. Gustin:

SUBJECT: Federal Consistency Determination, Review of General Management Plan,
Pictured Rocks National Lakeshore, Alger County

Staff of the Land and Water Management Division have reviewed this phase of the project for consistency with Michigan's Coastal Management Program (MCMP), as required by Section 307 of the Coastal Zone Management Act, PL 92-583, as amended (CZMA). Thank you for providing the opportunity to review this proposed activity.

A determination of consistency with MCMP requires evaluation of a project to determine if it will have an adverse impact on coastal land, water uses, or coastal resources. Projects are evaluated using the permitting criteria contained in the regulatory statutes administered by the Department of Environmental Quality (DEQ). These statutes constitute the enforceable policies of MCMP. There are several regulatory statutes that were inadvertently not listed in the CZMA portion of the Final General Management Plan (page 27).

The MCMP enforceable policies are based on the regulatory statutes of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA). The MCMP primary enforceable policies from NREPA include:

- Part 17, Michigan Environmental Protection Act
- Part 31, Water Resources Protection
- Part 91, Soil Erosion Control and Sedimentation Control
- Part 301, Inland Lakes and Streams
- Part 303, Wetland Protection
- Part 305, Natural Rivers
- Part 323, Shorelands Protection and Management
- Part 325, Great Lakes Submerged Lands
- Part 351, Wilderness and Natural Area

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- Part 353, Sand Dune Protection and Management
- Part 361, Farmland and Open Space Preservation
- Part 365, Endangered Species Act
- Part 761, Aboriginal Records and Antiquities

Provided all required permits are issued and complied with, no adverse impacts to coastal resources are anticipated from this phase of the project as described in the information you forwarded to our office. Upon issuance of all of the necessary permits, this project will be consistent with MCMP.

This consistency determination does not waive the need for permits that may be required under other federal, state, or local statutes. Please call me if you have any questions regarding this review.

Sincerely,



Chris Antieau
Great Lakes Shorelands Section
Land and Water Management Division
517-373-3894

cc: Ms. Catherine Ballard, DEQ